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PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

80

Application Number	09/924,617
Filing Date	August 8, 2001
First Named Inventor	Bhavesh N. Desai
Group Art Unit	2643
Examiner Name	Not Yet Assigned
Attorney Docket Number	ATT-026BUS

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

Technology Center 2600  
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Letter under Rule 56

### Remarks

In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Christopher S. Daly	Reg. No. 37,303
Signature		
Date	30 OCT 01	

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

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Signature	
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2643



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bhavesh N. Desai, et al.

Group Art Unit: 2643

Appl. No. : 09/924,617

Filed : August 8, 2001

Examiner: Not Yet Assigned

Entitled : TRANSMIT AND RECEIVE SYSTEM FOR A  
CABLE DATA SERVICE

RECEIVED

Docket : ATT-026BUS

OCT 17 2001

Technology Center 2600

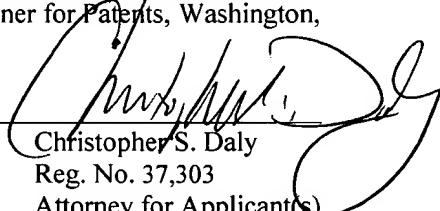
Certificate of Mailing (37 C.F.R. 1.8(a))

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30 OCT 01

Date of Signature  
and Mail Deposit

By:

  
Christopher S. Daly  
Reg. No. 37,303  
Attorney for Applicant(s)

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

It is desired to cite for the record in this application the enclosed documents listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

[ X ] (1) The enclosed Information Disclosure Statement is being filed within three months of the filing date or within three months of the entry of the national stage

of the above-identified application or before the mailing of a first Office Action on the merits. Accordingly, Applicant(s) believes that no fee or certification is required.

[ ] (1a) Applicant(s) believe the enclosed Information Disclosure Statement is entitled to the benefit of 37 C.F.R. § 1.97 (b) (3). Accordingly, Applicant(s) believe that no fee or certification is required.

[ ] (1b) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

[ ] a certification under 37 C.F.R. § 1.97(e); [ ] the fee set forth in § 1.17(p).

PETITION UNDER 37 C.F.R. § 1.97(d)

[ ] (2) Pursuant to 37 C.F.R. § 1.97(d), Applicant(s) hereby petition the Assistant Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state that the issue fee has not been paid and that a certification under 37 C.F.R. § 1.97(e) is provided herein, along with the petition fee of \$130.00 required under 37 C.F.R. § 1.17(i).

CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (1)

[ ] (3) The undersigned hereby certifies that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of this statement.

CERTIFICATION UNDER 37 C.F.R. § 1.97 (e) (2)

[ ] (4) The undersigned hereby certifies that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counter part foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual having a

duty of disclosure as set forth in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

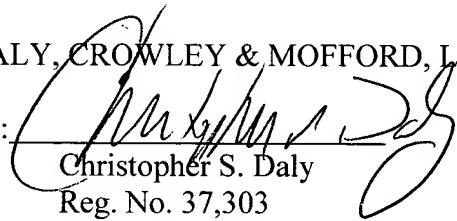
If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy Rule 98(a) (3) even if in a foreign language, since the few terms of relevance therein are deemed of universal cognizance. However, Applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Respectfully submitted,

DALY, CROWLEY & MOFFORD, LLP

By:



Christopher S. Daly

Reg. No. 37,303

Attorney for Applicant(s)

Dated: 3 OCT 01

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ATTY. DOCKET NO.  
**ATT-026BUS**APPLICATION NO.  
**09/924,617**

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



APPLICANT

**Bhavesh N. Desai, et al.**

FILING DATE

**July 8, 2001**

GROUP

**2643**

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
	5	7	7	8	1	7	4	7/7/1998	Cain			
	6	0	5	5	2	3	6	4/25/2000	Nessett et al.			
	6	2	3	0	3	2	6	5/8/2001	Unger et al.			
												<b>RECEIVED</b>
												OCT 17 2001
												Technology Center 2600

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

		: Ciciora, Walter S., "The Cable Modem," IEEE Spectrum, pages 48-53, June 2001
		:
		:
		:
		:
		:
		:
		:
		:
Examiner		Date Considered:
		*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and considered. Include copy of this form with next communication to applicant.